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Attorneys for Defendants
 JACKSON HEWITT INC. and TAX SERVICES OF AMERICA, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

PIERRE BRAILSFORD and KEVIN
 GILMORE, individually and on behalf of all
 others similarly situated.

Plaintiffs,

vs.

JACKSON HEWITT INC.; TAX SERVICES
 OF AMERICA, INC.; DOES 1 through 100,

Defendants.

) Case No.: C 06-00700 CW

) **CLASS ACTION**

) **STIPULATION AND ~~[PROPOSED]~~**
) **ORDER CONTINUING DISCOVERY,**
) **BRIEFING AND HEARING DATES**
) **RELATED TO MOTION FOR CLASS**
) **CERTIFICATION AND DATE FOR**
) **JOINING ADDITIONAL PARTIES**

1 The Parties have served each other with written discovery and scheduled depositions in
2 order to prepare for the currently scheduled class certification motion. The Parties have agreed
3 to participate in a mediation before the Hon. Edward Infante (Ret.) on November 15, 2006.
4 After consideration and discussion, the Parties have agreed that it would be in their interests to
5 focus their attention and efforts on exploring the possibility of resolving this matter instead of
6 proceeding with the scheduled discovery, briefing and hearing dates.

7 Accordingly, it is hereby stipulated by the Parties, through their respective counsel, as
8 follows:

9 1. The currently scheduled depositions shall be taken off calendar. The depositions
10 shall, if necessary, be renoticed for mutually acceptable dates after November 15, 2006.

11 2. The deadline for plaintiffs to respond to defendants' requests for production of
12 documents and interrogatories shall be continued from October 30, 2006 to December 29,
13 2006.

14 3. The deadline for defendants to produce documents in response to plaintiffs'
15 requests for production of documents shall be continued to December 20, 2006.

16 4. The deadline for plaintiffs to file their motion for class certification shall be
17 continued from November 8, 2006 to January 12, 2007.

18 5. The deadline to add additional parties shall be continued from November 8,
19 2006 to January 12, 2007.

20 6. The deadline for defendants to file their opposition to plaintiffs' motion for class
21 certification shall be continued from November 22, 2006 to February 2, 2007.

22 7. The deadline for plaintiffs to file their reply in support of plaintiffs motion for
23 class certification shall be continued from November 29, 2006 to February 9, 2007.

24 8. The hearing on plaintiffs' motion for class certification shall be continued from
25 December 15, 2006 at 10:00 a.m. to February 23, 2007 at 10:00 a.m.

26 9. The Case Management Conference in this matter shall be continued from
27 February 23, 2007 at 1:30 p.m. to April 27, 2007 at 1:30 p.m.
28

1 Dated: October 30, 2006

CHAVEZ & GERTLER LLP

2 RODDY KLEIN & RYAN

3 RONALD FREDERICK & ASSOCIATES CO., L.P.A.

4 BAILEY & GLASSER, LLP

5
6 By: 

Mark A. Chavez

8 Attorneys for Plaintiffs

PIERRE BRAILSFORD and KEVIN GILMORE

9
10
11 Dated: October 30, 2006

Respectfully submitted,

12 SKADDEN, ARPS, SLATE,
13 MEAGHER & FLOM LLP

14
15 By: 

Benjamin B. Klubes

16
17 Attorneys for Defendants

JACKSON HEWITT INC. and TAX SERVICES OF
18 AMERICA, INC.

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22 IT IS SO ORDERED.

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24 Dated: 10/31, 2006



25 The Honorable Claudia Wilken
26 UNITED STATES DISTRICT COURT JUDGE
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